

U.S. Department of Justice



United States Attorney
Southern District of New York

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The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

October 9, 2007

By Fax

The Honorable Barbara S. Jones
United States District Judge
United States Courthouse
500 Pearl Street, Room 620
New York, NY 10007

Application granted.
Government's response is due
October 22, 2007. Oral argument
will be held on November 2, 2007 at 3PM.

Re: United States v. Annucci and Proscia
S1 06 Cr. 982 (BSJ)

SO ORDERED
Dated:

Barbara S. Jones
BARBARA S. JONES
U.S.D.J.

Dear Judge Jones:

The Government respectfully submits this letter to request a third and final extension of time, until October 22, 2007, to respond to Proscia's pretrial motions. We seek an extension of two weeks so that the parties may focus on finalizing a plea by Proscia. Defense counsel consents to this extension request.

In prior correspondence, the Government has apprised the Court of our ongoing plea negotiations with Proscia. Based upon our most recent discussions with Proscia's attorney, Charles Ross, Esq., we believe that a plea agreement is imminent. Under the circumstances, we respectfully request that the Court grant a final, two-week extension of time, until October 22, 2007, in which to accomplish a plea. If the matter has not been resolved by October 22nd, then the Government would submit its response to Proscia's pretrial motions on that date, and the parties would request an oral argument date as soon thereafter as is convenient for the Court.

Respectfully submitted,

MICHAEL J. GARCIA
United States Attorney

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cc: Charles Ross, Esq. (By facsimile)
Joseph DeMatteo, Esq. (By facsimile)